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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

BRIAN KAKOWSKI,  
Plaintiff,

v.

SHERIFF FURLONG et al.,  
Defendants.

3:15-cv-00345-MMD-VPC  
**ORDER**

**I. DISCUSSION**

On July 2, 2015, Plaintiff, a *pro se* prisoner, filed an application to proceed *in forma pauperis* and submitted a civil rights complaint pursuant to 42 U.S.C. § 1983. (ECF No. 1, 1-1). In subsequent motions, Plaintiff has sought to add pages to his complaint and to substitute Defendant Jane Doe in his complaint with the name Terry Parogi. (ECF No. 3, 4). Plaintiff also seeks a copy of his filed complaint. (ECF No. 5). The Court grants in part and denies in part Plaintiff's motion to add pages to his complaint and to substitute the name of his Jane Doe defendant. The Court will not piecemeal Plaintiff's complaint together through multiple pleadings. Instead, Plaintiff must file an amended complaint that contains all claims, defendants, and factual allegations that Plaintiff wishes to pursue in this lawsuit. As such, the Court grants Plaintiff's motions to the extent that he seeks to file an amended complaint, but denies the motions to the extent that Plaintiff seeks to have the Court piecemeal multiple pleadings together to elicit an amended complaint.

Plaintiff is granted leave to file an amended complaint. If Plaintiff chooses to file an amended complaint he is advised that an amended complaint supersedes the original complaint and, thus, the amended complaint must be complete in itself. See *Hal Roach Studios, Inc. v. Richard Feiner & Co., Inc.*, 896 F.2d 1542, 1546 (9th Cir. 1989) (holding that

1 "[t]he fact that a party was named in the original complaint is irrelevant; an amended pleading  
2 supersedes the original"); see also *Lacey v. Maricopa Cnty.*, 693 F.3d 896, 928 (9th Cir. 2012)  
3 (holding that for claims dismissed with prejudice, a plaintiff is not required to reallege such  
4 claims in a subsequent amended complaint to preserve them for appeal). Plaintiff's amended  
5 complaint must contain all claims, defendants, and factual allegations that Plaintiff wishes to  
6 pursue in this lawsuit. Moreover, Plaintiff must file the amended complaint on this Court's  
7 approved prisoner civil rights form and it must be entitled "First Amended Complaint."

8 The Court notes that if Plaintiff chooses to file an amended complaint containing all of  
9 his added allegations and defendants, Plaintiff shall file the amended complaint within 30 days  
10 from the date of entry of this order. If Plaintiff chooses not to file an amended complaint, this  
11 Court shall screen the original complaint (ECF No. 1-1) only.

## 12 **II. CONCLUSION**

13 For the foregoing reasons, IT IS ORDERED that the motion to add pages (ECF No. 3)  
14 is granted in part and denied in part.

15 IT IS FURTHER ORDERED that the motion for leave to file an amended complaint  
16 (ECF No. 4) is granted in part and denied in part.

17 IT IS FURTHER ORDERED that the motion for a copy of the filed complaint (ECF No.  
18 5) is granted in part.

19 IT IS FURTHER ORDERED that if Plaintiff chooses to file an amended complaint,  
20 Plaintiff shall file the amended complaint within 30 days from the date of entry of this order.

21 IT IS FURTHER ORDERED that the Clerk of the Court shall send to Plaintiff the  
22 approved form for filing a § 1983 complaint, instructions for the same, and a copy of his  
23 original complaint (ECF No. 1-1), a copy of his motion to add pages (ECF No. 3) with exhibits,  
24 and a copy of his motion for leave to file an amended complaint (ECF No. 4). If Plaintiff  
25 chooses to file an amended complaint, he must use the approved form and he shall write the  
26 words "First Amended" above the words "Civil Rights Complaint" in the caption.

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1 IT IS FURTHER ORDERED that if Plaintiff chooses not to file an amended complaint,  
2 the Court shall screen the original complaint (ECF No. 1-1) only.

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4 DATED: This 20<sup>th</sup> day of October, 2015.

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8 United States Magistrate Judge  
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